

UNITED STATES DEPARTMENT OF COMMERCE **United States Patent and Trademark Office**

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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 08/765,901 01/07/97 PRAT E 004900-148

IM52/0511 BURNS DOANE SWECKER & MATHIS L L P POST OFFICE BOX 1404 ALEXANDRIA VA 22313-1404

EXAMINER HENDRICKSON, S **ART UNIT** PAPER NUMBER

DATE MAILED:

1754

05/11/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



| Office Action Summary | lication No. Applicant(s): |
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| Exar | Group Art Unit |
| —The MAILING DATE of this communication appears on the | he cover sheet beneath the correspondence address- |
| Peri d for Response | \circ |
| A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO MAILING DATE OF THIS COMMUNICATION. | EXPIRE MONTH(S) FROM THE |
| Extensions of time may be available under the provisions of 37 CFR 1.136(a). from the mailing date of this communication. If the period for response specified above is less than thirty (30) days, a respor If NO period for response is specified above, such period shall, by default, expi Failure to respond within the set or extended period for response will, by statute | nse within the statutory minimum of thirty (30) days will be considered time ire SIX (6) MONTHS from the mailing date of this communication. |
| Status | |
| Responsive to communication(s) filed on 3/16/01 | |
| ☐ This action is FINAL . | • |
| Since this application is in condition for allowance except for form accordance with the practice under Ex parte Quayle, 1935 C.D. 1 | nal matters, prosecution as to the merits is closed in § 1; 453 O.G. 213. |
| Disp sition of Claims | |
|)≰ Claim(s) | is/are pending in the application. |
| Of the above claim(s) | is/are withdrawn from consideration |
| | |
| □ Claim(s) 2246 | is/are allowed. |
| □ Claim(s) | |
| □ Claim(s) | |
| | are subject to restriction or election requirement. |
| Application Papers | |
| ☐ See the attached Notice of Draftsperson's Patent Drawing Review | |
| ☐ The proposed drawing correction, filed on is ☐ The drawing(s) filed on is/are objected to by | |
| ☐ The specification is objected to by the Examiner. | , the Examiner. |
| ☐ The oath or declaration is objected to by the Examiner. | |
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| | |
| Priority under 35 U.S.C. § 119 (a)-(d) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d) □ All □ Some* □ None of the CERTIFIED copies of the prioric □ received. □ received in Application No. (Series Code/Serial Number) | ity documents have been |
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| Priority under 35 U.S.C. § 119 (a)-(d) □ Acknowledgment is made of a claim for foreign priority under 35 L □ All □ Some* □ None of the CERTIFIED copies of the priori □ received. □ received in Application No. (Series Code/Serial Number) □ received in this national stage application from the Internationa *Certified copies not received: | ity documents have been Il Bureau (PCT Rule 1 7.2(a)). |
| Priority under 35 U.S.C. § 119 (a)-(d) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d) □ All □ Some* □ None of the CERTIFIED copies of the prioric □ received. □ received in Application No. (Series Code/Serial Number) □ received in this national stage application from the International | Il Bureau (PCT Rule 1 7.2(a)). |
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U. S. Patent and Trademark Office PTO-326 (Rev. 3-97)

Part of Paper No. 26

Serial Number: 08/765,901

Art Unit: 1754

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action. The request filed on 11/22/00 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/765901 is acceptable and a CPA has been established. An action on the CPA follows.

Claims 22-37 and 39-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chevallier et al. '570.

This is the same rejection as in paper no. 20, incorporated herein by reference.

Claims 38 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chevallier et al. '570 as applied to claims 22-37 and 39-45 above, and further in view of Cox et al.

This is the same rejection as in paper no. 20, incorporated herein by reference.

Applicant's arguments filed 3/16/2001 have been fully considered but are not persuasive. Chevallier column 11 uses essentially the same deagglomeration technique as specification pg. 11. Thus, the results are deemed to be the same. No differences in the viscosity have been shown. The claims do not exclude the step of adding a deagglomerating agent, and a reference which sprays clearly would deagglomerate to avoid plugging problems.

Any inquiry concerning this communication should be directed to examiner Hendrickson at telephone number (703) 308-2539.

> Stuart Hendrickson examiner Art Unit 1754